

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ALLEN FABEL,


Defendant.

Case No. CR06-041L

ORDER DENYING MOTIONS TO  
DISMISS RACKETEERING ACT  
THREE

This matter comes before the Court on Defendant Fabel's "Motion to Dismiss Racketeering Act 3 From Count 1 of the Third Superseding Indictment" (Dkt. #225) and "Motion to Dismiss Racketeering Act 3" (Dkt. #271). The Government has indicated that it intends to remove Racketeering Act Three from the set of charges that will be contained in the Fourth Superseding Indictment, which it plans to file prior to December 7, 2006. As such, the Court does not believe it is necessary to address the question of dismissal at this time. Defendant's motions to dismiss (Dkt. #225) (Dkt. #271) are DENIED.

DATED this 29<sup>th</sup> day of November, 2006



Robert S. Lasnik  
United States District Judge

ORDER DENYING MOTIONS TO  
DISMISS RACKETEERING ACT THREE